

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

NANCY ABBIE TALLENT,

Plaintiff,

v.

OAK RIDGE METHODIST MEDICAL
CENTER, et al.,

Defendants.

No.: 3:23-CV-52-KAC-DCP

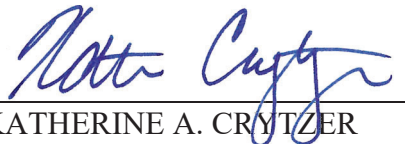
ORDER ADOPTING REPORT & RECOMMENDATION

Before the Court is United States Magistrate Judge Debra C. Poplin’s “Report and Recommendation” (“Report”) entered on February 29, 2024 [Doc. 10]. Plaintiff’s Amended Complaint [Doc. 5] alleges that Defendant Oak Ridge Methodist Medical Center “intentionally withheld medical records from Plaintiff which demonstrate malpractice on the part of practitioners administering care,” [Doc. 5 at 1]; “seeks relief under 42 U.S. Code § 1320d-6,” [*id.* at 3]; and alleges that “Charles Ray Faircloth” and the “City of Oak Ridge” “intentionally violated plaintiff’s civil rights while operating under the color of law,” [*id.* at 5]. In the body of the Amended Complaint [Doc. 5], Plaintiff named as Defendants “Oak Ridge Methodist Medical Center through Jeremy Biggs,” “Beth Seaton,” “Anna Chamble,” “Charles Ray Faircloth,” “Chief of Police Robin Smith” and “City of Oak Ridge” [*Id.* at 4]. In the caption of the Amended Complaint [Doc. 5], Plaintiff named as Defendants “Oak Ridge Methodist Medical Center through Jeremy Biggs,” “Covenant Health,” “Beth Seaton,” “Anna Chamble,” “Dr. Nawras Baban,” “Dr. James Eppert,” and “Dr. Richard Bremer” [*Id.* at 1].

The Report [Doc. 10] recommends “that Plaintiff’s 42 U.S.C. § 1983 claim proceed against Officer Faircloth¹ beyond the initial screening phase but that all remaining claims and Defendants be dismissed” [*Id.* at 10]. No Party has objected to the Report, and the time to do so has passed. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(2).

After reviewing the record, the Court **ACCEPTS** and **ADOPTS** the Report [Doc. 10] under 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b)(2). The Court **DISMISSES** Plaintiff’s claims against Defendants Oak Ridge Methodist Medical Center, Beth Seaton, Anna Chamble, Robin Smith, City of Oak Ridge, Jeremy Biggs, Covenant Health, Dr. Nawras Baban, Dr. James Eppert, and Dr. Richard Bremer. The Court also **DISMISSES** any of Plaintiff’s claims against Defendant Charles Faircloth except Plaintiff’s Section 1983 claim premised on the Fourth Amendment.

SO ORDERED.


KATHERINE A. CRYTZER
United States District Judge

¹ Specifically, the Report [Doc. 10] recommends that Plaintiff’s 42 U.S.C. § 1983 claim premised on the Fourth Amendment against Defendant Faircloth be permitted to proceed [*See* Doc. 10 at 6].